IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 252 OF 2006
IN
CRIMINAL APPEAL NO. 1318 OF 2002

Union of India ..Applicant

versus

Lalchand U. Bhansali & Anr. ..Respondents

Mr. D. N. Salvi for the Applicant.

Mr. S. S. Tatkare, APP for the Respondent No.2 - State.

CORAM : R. S.MOHITE, J.

DATE : 9TH MARCH, 2006

P.C. :

1. Heard.

2. This is an application for dismissal of the appeal with liberty to file fresh appeal. It is seen that the appeal was admitted and action under Section 390 has been directed to be taken. The respondent is now unavailable. The address of the respondent is permanent address at the native place viz. at Jalor, Rajasthan. When the officers of the applicant had gone there, they found the father of

the respondent was present and he guided the Officers to the address of a shop in Mumbai. At the shop the respondent is not found.

3. In my view, the matter can be proceeded with by availing the procedure under Section 65 by affixing the summons at the permanent address of the respondent. Therefore, this application is rejected and liberty to the Applicant to file an application for serving the respondent by affixing the summons under Section 65 at his permanent address.

4. Application disposed of.

(R. S. MOHITE, J.)